IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

Crl.Rev.Pet.No. 1957 of 2007()

CRA.708/2006 of IV ADDL.SESSIONS COURT, ERNAKULAM
CC.338/2004 of JUDL.MAGISTRATE OF FIRST CLASS-II, ALUVA

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REVN. PETITIONER: ACCUSED/APPELLANT

THAMPI CHACKO, AGED 47 YEARS,
PROPRIETOR, CARMEL TREADS, EDAYAR,
MUPPATHADOM, KETTANGAKULATHIL HOUSE,
GANDHI NAGAR STREET, TOLL JUNCTION,
EDAPPALLY-24.

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.P.P.BIJU

RESPONDENTS: COMPLAINANT/RESPONDENT

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1. STATE OF KERALA REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. P.V.VINCENT, AGED 39,
S/O VARKEY, PUNNASSERY HOUSE,
THURAVOOR P.O., ANGAMALY.

R1 BY PUBLIC PROSECUTOR SRI AMJAD ALI.

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 14/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P. NO. 1957 of 2007

Dated this the 14th day of June, 2007

ORDER

The revision petitioner stands convicted for the offence under section 138 N.I.Act and sentenced to undergo simple imprisonment for 3 months and to pay a compensation of Rs. 1,45,000/- to the complainant vide section 357 (3) Cr.P.C and in default to undergo simple imprisonment for 3 months and also to pay a sum of Rs.1000/- as cost to the complainant and in default to undergo simple imprisonment for 15 days. The revision petitioner has only sought for modification of the sentence and time to pay the amount.

2. In the circumstances, the sentence is modified to imprisonment till the rising of the court. The rest of the sentence is confirmed. The revision petitioner is granted 6 months' time from today onwards to pay the amount of compensation, less the amount already in deposit. The revision petitioner is permitted to pay the balance amount to the complainant directly. The revision petitioner shall appear before the JFCM-II, Aluva on 14-12-2007 to receive the sentence.

NBW pending, if any, shall be kept in abeyance till then.

The Crl.R.P is disposed of accordingly.

K.R.UDAYABHANU,JUDGE.

Kvm/